

REMARKS

The Applicants make this final appeal to the Examiner to reconsider the Examiner's rejections.

Summary of the invention

Now referring to Figure 2, and generally to pages 7-9 of the specification, and generally speaking, and without prejudice to the scope of the claims, the invention in the claims on appeal relates to: a display for showing textual route information in a size configurable route window 204. This size configurable route window can be configured to a larger size than that shown in Figure 2. See Figure 3, which shows the size configurable route window 204 after it has had its size configured to a larger size. The horizontal chevron 212 was selected to achieve this new size configuration. Similarly, Figure 5 shows the route window 204 of Figure 2 after it has had its size reconfigured in a vertical direction by selecting chevron 208. Finally, Figure 6 clearly shows the size configurable route window 204 of Figure 2 after it has been reconfigured in size in both vertical and horizontal directions by selecting both chevrons 208 and 212.

ISSUES

The sole issue on appeal is as follows:

Whether the Briffe '498 reference teaches a size configurable route window, thereby rendering the claim anticipated.

GROUPING OF CLAIMS

All of the claims stand or fall together because they all contain limitations to the size configurable nature of the route window.

ARGUMENTS FOR REVERSAL OF SECTION 102 REJECTION

The Examiner's rejection of all claims based upon the Briffe reference under 102 is improper and is in error, because the Briffe reference does not teach a key claim limitation, and, therefore, fails to establish a prima facie case of anticipation, with respect to that key claim limitation.

The Applicants will now set out the errors in the prior art rejections. The Examiner states, in paragraph 2 on page 2 of the office action, that Briffe discloses a configurable route window which has a configurable window size. The Examiner cites column 11, lines 5-7. The Examiner is misreading these cited sections of Briffe, which is set forth below:

"However, the MFD can display several function pages thanks to a menu driven system. The surface of the screen is divided into six windows of 1/6 the total screen size. *The **different** windows displayed will encompass a **total** size that is a multiple of 1/6 the available surface, i.e. 1/6, 1/3, 1/2, 2/3, 5/6, and 1 times the available surface.* The horizontal situation is displayed on the part of the screen unused by the window(s) requested by the pilot. Furthermore, one MFD 18,20 includes a permanent ENGINE/TRIMS display 120 which continuously occupies the top 1/6 as shown in Fig. 9." (emphasis added)

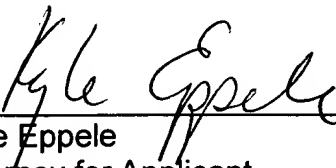
A careful reading of this above passage will reveal that the sizes mentioned of 1/6, 1/3 ...etc. are not sizes of a configurable route window but are **cumulative sizes of the total number of fixed sized windows** that are displayed. The pending claims all call for a **size configurable route window**. In Briffe, all the windows have a fixed size of 1/6. Briffe, therefore, fails to describe a size configurable route window as is included in the claims. The Examiner appears to believe that Figures 9, 15, 16 and 22 of the Briffe reference show a configurable route window. This is not correct. The term "route window" is a term used in the art of avionics display systems to refer to a window of textual information only relating to a route. The term "route window" does not refer to a graphical map display, which graphical map shows a route. See the enclosed Affidavit from Gary L. Owen. The term "route window" is used in the specification of the present invention to refer to item 204, the configurable route window. This use of the term is consistent throughout the specification as being a window displaying only textual information relating to a route. It is improper for the Examiner to ignore the meaning of these terms as they are used in the specification and in the literature (see the Owen Affidavit).

CONCLUSION OF ARGUMENTS

When the proper meaning is applied to the claim terms "route window", it becomes apparent that the Briffe reference does not teach a configurable route window and, therefore, fails to anticipate the claims.

For these reasons, the Examiner's final rejection of all of the claims should be reversed. The Applicants believe that the application is in condition for allowance, and early notification of the same would be appreciated.

Respectfully submitted,



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